

Jason Kander

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

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SEP 21 2016

SECRETARY OF STATE
ADMINISTRATIVE RULES

Rule Number 13 CSR 40-19.020

COPY

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content Sarah Madden Phone 522-8368 FAX 522-6092

Email address Sarah.Madden@dss.mo.gov

Data Entry Debbie Lindquist Phone 526-0414 FAX 522-6092

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Interagency mailing address 221 W High, Broadway Bldg., Jefferson City, Mo 65109

TYPE OF RULEMAKING ACTION TO BE TAKEN

- Emergency rulemaking, include effective date
- Proposed Rulemaking
- Withdrawal Rule Action Notice In Addition Rule Under Consideration
- Request for Non-Substantive Change
- Statement of Actual Cost
- Order of Rulemaking

Effective Date for the Order _____

Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? NO

YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory
Fairness Board (DED) Stamp

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ADMINISTRATIVE RULES

Missouri Department of
SOCIAL SERVICES
Your Potential. Our Support.

JEREMIAH W. (JAY) NIXON, GOVERNOR • BRIAN KINKADE, DIRECTOR

JULIE GIBSON, DIRECTOR
FAMILY SUPPORT DIVISION
PO BOX 2320 JEFFERSON CITY, MO • 65102-2320
WWW.DSS.MO.GOV • 573-751-3221 • 573-751-0507

September 21, 2016

Jason Kander
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Dear Secretary Kander,

Re: 13 CSR 40-19.020 – Low Income Home Energy Assistance Program (LIHEAP) and Utilicare

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed rulemaking lawfully submitted by the Family Support Division, Department of Social Services.

The Family Support Division, Department of Social Services has determined and hereby certifies that this proposed rulemaking will not have an economic impact on small businesses. The Family Support Division further certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017, RSMo 2000, that the proposed rulemaking does not constitute a taking of real property under relevant state and federal law, and the proposed rulemaking conforms to the requirements of 1.310, RSMo Supp. 2009, regarding user fees.

The Family Support Division, Department of Social Services has determined and hereby also certifies that this proposed rulemaking complies with the small business requirements of 1.310, RSMo, in that it does not have an adverse impact on small businesses consisting of fewer than fifty full or part-time employees or it is necessary to protect the life, health, or safety of the public, or that this rulemaking complies with 1.310, RSMo, by exempting any small business consisting of fewer than fifty full or part-time employees from its coverage, by implementing a federal mandate, or by implementing a federal program administered by the state or an act of the general assembly.

Statutory Authority: sections 208.151(22), 660.017, & 207.022, RSMo

If there are any questions regarding the content of this proposed rulemaking, please contact:

Sarah G. Madden
221 West High Street, Room 230
Jefferson City, MO 65102
573-526-0414
Sarah.Madden@dss.mo.gov

Sincerely,



Julie Gibson, Director
Family Support Division

Attachments

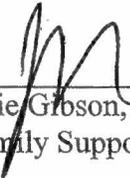
RELAY MISSOURI
FOR HEARING AND SPEECH IMPAIRED
1-800-735-2466 VOICE • 1-800-735-2966 TEXT PHONE

AFFIDAVIT

PUBLIC COST

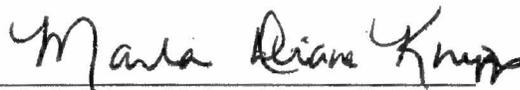
State of MISSOURI)
) ss.
County of COLE)

I, Julie Gibson, Director, Family Support Division, first being duly sworn, on my oath, state that it is my opinion that the cost of the proposed amendment, 13 CSR 40-19.020 is less than five hundred dollars (\$500) in the aggregate to this agency, any other agency of state government or any political subdivision thereof.



Julie Gibson, Director
Family Support Division

Subscribed and sworn to before me this 21st day of September 2016. I, Marla Diane Knipp, am commissioned as a Notary Public within the County of Moniteau, State of Missouri, and my commission expires February 28, 2019.



Marla Diane Knipp, Notary Public



MARLA DIANE KNIPP
My Commission Expires
February 28, 2019
Moniteau County
Commission #15148729

Title 13---DEPARTMENT OF SOCIAL SERVICES
Division 40---Family Support Division
Chapter 19---Energy Assistance

PROPOSED AMENDMENT

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SECRETARY OF STATE
ADMINISTRATIVE RULES

13 CSR 40-19.020 Low Income Home Energy Assistance Program (LIHEAP) and Utilicare

PURPOSE: The Department is amending this regulation by updating the language to ensure consistency with updates in the LIHEAP Policy and Procedures Manual. The amendment adds Section (1), defining the scope of the amendment, Section (2) adds new terms and definitions to the regulation, and Section (3) establishes funding for LIHEAP by adding clarifying language. Section (6) updates the language of the general eligibility requirements for LIHEAP, while the addition of sections (7) and (8) reorganizes and clarifies conditions that will render households ineligible for LIHEAP and individuals ineligible for consideration in a LIHEAP household. The new sections (9), (10), (11), (12), (13), and (15) establish the procedures for how LIHEAP is implemented and clarifies how funds may be used. Section (14) provides the payment amounts for Energy Assistance (EA) as well as a chart for the payment ranges based on household size, income range, and fuel source.

*PURPOSE: This rule establishes the basic policies and procedures to determine eligibility and amount of benefits to be paid under Missouri's Utilicare and Low Income Home Energy Assistance Program (collectively known as "LIHEAP"). This program [will] is designed to assist [certain] **eligible**, low income [households with partial payment of their winter home heating costs] **individuals, particularly those with the lowest income who pay a high proportion of household income for home energy, in meeting their immediate energy needs.***

(1) Scope: This rule establishes procedures for the implementation of the Low Income Home Energy Assistance Program and Utilicare, collectively referred to in this rule as "LIHEAP". This rule establishes the requirements governing the eligibility of households under the program, pursuant to 42 U.S.C. sections 8621-8630 and sections 660.100-660.136, RSMo 2015.

([1]2) Definitions[.]:

(A) "Applicant" shall be defined as the individual whose signature, or whose signature as written by the individual's guardian/conservator or power of attorney, is on the application.

(B) "Crisis" shall be defined as any of the following:

- 1. The receipt of a termination or disconnect notice indicating a specific disconnect date;**
- 2. The issuance of a final billing statement advising the account has been terminated;**
- 3. A situation in which a propane tank is filled at less than twenty-percent (20%) capacity;**

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4. A situation in which the customer is a cash on delivery (COD) customer; or
5. A situation in which a pre-paid electric customer indicates their pre-paid usage is about to run out.

([B]C) [Disabled will] **“Disabled”** shall be defined as **an individual who is totally and permanently disabled or blind and is receiving one or more of the following: Civil Service Disability, Medical Assistance, Railroad Retirement Disability Benefits, Social Security Disability Benefits, State Aid to the Blind, State Blind Pension, State Supplemental Payments, Supplemental Security Income Program, or Veterans Administration Disability Benefits.** [federal Social Security disability benefits, civil service disability benefits or federal Supplemental Security Income (SSI) benefits based on blindness or disability, Veterans Administration disability benefits, State Blind Pension, State Aid to the Blind (AB), state supplemental payments, based on blindness or disability under the SSI Program or Medical Assistance (MA), based on blindness or disability.]

(D) **“Elderly”** shall be defined as **sixty five (65) years of age or older to receive the LIHEAP income deduction, as established in section (3) of this rule, and sixty (60) years of age or older for federal reporting purposes, as required under 45 CFR section 96.82.**

(E) **“Fuel source”** shall be defined as **the fuel consumed in the operation of an appliance manufactured and used for the purpose of heating or cooling a household.**

([E]F) [Home energy supplier will] **“Home energy supplier”** shall be defined as a public or private business [(public or private investor-owned utilities, municipally-owned utilities, rural electric cooperatives and privately-owned distributorships)] engaged [primarily] in the retail sale of home heating **and cooling fuel, including public or private investor owned utilities, municipally owned utilities, rural electric cooperatives, and privately owned distributorships.** [to the general public within a given geographic area.]

([F]G) [Household will] **“Household”** shall be defined as an individual(s) living in private living quarters (a space with a private entrance) for which residential heat is purchased in common.

(H) **“Income”** shall be defined as **monthly revenue obtained that is either earned or unearned.**

([G]I) A **“[L]andlord household”** [applicant will] shall be defined as a household **in which the landlord sends the household a separate bill to cover the heating and cooling costs. Landlord households may receive both Energy Assistance (EA) and Energy Crisis Intervention Program (ECIP) benefits.** [who rents residential property and who pays a heat bill in addition to rent.]

(J) **“LIHEAP fiscal year”** shall be defined as **the federal fiscal year, October 1st-September 30th.**

(K) **“Live-in-attendant”** shall be defined as **an individual living in the household who receives wages to provide medical/child care and who is not responsible for any household expenses. A relative, as defined in this rule, cannot be considered a live-in-attendant.**

(L) **“Roomer/boarder”** shall be defined as **an individual who pays a household for lodging and/or food expenses only, and who is not responsible for any other household expenses. A relative, as defined in this rule, cannot be considered a roomer/boarder.**

([H]M) A **“renter household”** [Renter applicants will] shall be defined as a household [with] **in which heating and/or cooling costs are included in the rent** [their rental charge]. **Renter households may receive EA benefits, but cannot receive ECIP benefits.**

([A]N) [Available r] **“Resources”** [will] shall be defined as **any assets that are available to an individual, including but not limited to annuities, bonds, certificates of deposit, deposits in banks, savings and loan companies, credit unions, and other financial institutions, individual retirement accounts, Keogh’s and deferred compensation plans, money markets, mutual funds, and stocks. Resources will be considered available unless documented by the institution holding the resources that they are restricted or inaccessible.** [cash holdings in banks, savings and loan companies, credit unions, mutual funds, stocks and bonds, money market accounts, annuities, individual retirement accounts, Keogh accounts and deferred compensation plans.]

(O) **“Participating home energy suppliers”** shall be defined as **suppliers that sign an agreement with the department.**

(P) **“Account”** shall be defined as **a customer account established with a home energy supplier for residential heating and cooling.**

(Q) **“Relative”** shall be defined as **an individual who is related to the household member as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepson, stepdaughter, stepbrother, half-brother, or half-sister.**

(R) **“Address of record”** shall be defined as **the most recent mailing address that the applicant/participant provided to the division.**

[(C) Head of household will be defined as the individual whose name appears on the fuel bill and who is financially responsible for payment of the home heating costs.

(D) Home energy heat will be defined as electricity, fuel oil, natural gas, propane (tank or cylinder), wood or coal used as the source for heating a residential home.]

[(2]3) **Federal funds, pursuant to 42 U.S.C. sections 8621-8630, and state funds, pursuant to RSMo 660.100-660.136, may be expended for—** [will be used for partial payment of winter home heating costs incurred by eligible households during the months of October, November, December, January, February and March of each calendar year beginning in November 1986 and continuing so long as federal funds are available for this purpose.]

(A) **Energy Assistance (EA), which provides a direct one (1) time lump sum payment of utility costs incurred for home heating by qualified Missouri residents continuing so long as funds remain available for this purpose. EA may include additional supplemental payments as determined necessary by the department; or**

(B) **The Energy Crisis Intervention Program (ECIP), which provides direct payment of utility costs incurred for home heating and cooling by qualified Missouri residents experiencing a crisis, as defined in this rule, so long as funds remain available for this purpose.**

[(3]4) **Not more than one (1) LIHEAP qualified EA benefit will be paid for each qualified individual eligible household, with the exception of a possible additional supplemental payment, during any LIHEAP fiscal year.**

(A) **Only one (1) individual on a multiple named fuel bill account will be eligible to receive LIHEAP benefits.**

(B) **If the fuel bill account is in the name of an individual under the age of eighteen (18) and there is another household member that is age eighteen (18) or older, the account name must be changed to an adult household member’s name. If the oldest individual in the**

household is under the age of eighteen (18), that individual may be considered the account holder only with division approval.

[Primary eligibility requirements for this program are as follows:

(A) Each household member must be a citizen of the United States or an alien admitted to the United States for permanent resident status and a current resident of Missouri;

(B) Each household's available resources may not exceed three thousand dollars (\$3,000). Households determined ineligible due to excess resources will remain ineligible for the remainder of that program year;

(C) Each head of household or spouse must establish that s/he has a fuel account in his/her name or meet the definition of a renter or landlord situation and is incurring costs from a home energy heat source; and

(D) Each household must have a monthly income no greater than the specific amounts based on household size as set forth in the Low Income Home Energy Assistance Program (LIHEAP) Income Ranges Chart. If the household size and composition of a LIHEAP applicant household can be matched against an active food stamp case reflecting the same household size and composition, monthly income for LIHEAP will be established by using the monthly income documented in the household's food stamp file.

LIHEAP INCOME RANGES CHART

Monthly Income Amounts

Household Size	Income Range	Income Range	Income Range	Income Range	Income Range
1	\$ 0-187	\$ 188-375	\$ 376-563	\$ 564-751	\$ 752-935
2	\$ 0-253	\$ 254-507	\$ 508-761	\$ 762-1,015	\$ 1,016-1,263
3	\$ 0-318	\$ 319-637	\$ 638-956	\$ 957-1,275	\$ 1,276-1,590
4	\$ 0-383	\$ 384-767	\$ 768-1,151	\$ 1,152-1,535	\$ 1,536-1,917
5	\$ 0-449	\$ 450-899	\$ 900-1,349	\$ 1,350-1,799	\$ 1,800-2,244
6	\$ 0-514	\$ 515-1,029	\$ 1,030-1,544	\$ 1,545-2,059	\$ 2,060-2,571
7	\$ 0-580	\$ 581-1,161	\$ 1,162-1,742	\$ 1,743-2,323	\$ 2,324-2,898
8	\$ 0-645	\$ 646-1,291	\$ 1,292-1,937	\$ 1,938-2,583	\$ 2,584-3,225

Monthly Income Amounts

Household Size	Income Range	Income Range	Income Range	Income Range	Income Range
9	\$ 0-710	\$ 711-1,421	\$ 1,422-2,132	\$ 2,133-2,843	\$ 2,844-3,552
10	\$ 0-776	\$ 777-1,553	\$ 1,554-2,330	\$ 2,331-3,107	\$ 3,108-3,879
11	\$ 0-841	\$ 842-1,683	\$ 1,684-2,525	\$ 2,526-3,367	\$ 3,368-4,206
12	\$ 0-907	\$ 908-1,815	\$ 1,816-2,723	\$ 2,724-3,631	\$ 3,632-4,533
13	\$ 0-972	\$ 973-1,945	\$ 1,946-2,918	\$ 2,919-3,891	\$ 3,892-4,860
14	\$ 0-1,038	\$ 1,039-2,077	\$ 2,078-3,116	\$ 3,117-4,155	\$ 4,156-5,188
15	\$ 0-1,103	\$ 1,104-2,207	\$ 2,208-3,311	\$ 3,312-4,415	\$ 4,416-5,515
16	\$ 0-1,168	\$ 1,169-2,337	\$ 2,338-3,506	\$ 3,507-4,675	\$ 4,676-5,842
17	\$ 0-1,234	\$ 1,235-2,469	\$ 2,470-3,704	\$ 3,705-4,939	\$ 4,940-6,169
18	\$ 0-1,299	\$ 1,300-2,599	\$ 2,600-3,899	\$ 3,900-5,199	\$ 5,200-6,496
19	\$ 0-1,365	\$ 1,366-2,731	\$ 2,732-4,097	\$ 4,098-5,463	\$ 5,464-6,823
20	\$ 0-1,430	\$ 1,431-2,861	\$ 2,862-4,292	\$ 4,293-5,723	\$ 5,724-7,150

]

([4] 5) ECIP benefits must not exceed the amount needed to resolve the energy crisis, up to the maximum amount of eight hundred dollars (\$800) for winter assistance for the months of November through May, and three hundred dollars (\$300) for summer assistance for the months of June through September, so long as funds remain available for this purpose.

[Household members meeting any of the following conditions will not be eligible to receive LIHEAP benefits:

(A) Individuals residing in adult boarding facilities, intermediate care facilities, residential care facilities or skilled nursing facilities who do not pay a home energy supplier directly for their heating costs;

(B) Individuals residing in hotels, motels, dormitories or temporary shelters who do not pay a home energy supplier directly for their heating costs;

(C) Individuals not considered as household members. This will include roomers, boarders, live-in attendants and students or military personnel that are not actually residing in the home;

(D) Individuals living in government subsidized housing, unless they are paying a home energy supplier directly for their home heating costs or are billed for any out-of-pocket heating costs by the landlord or housing authority;

(E) Individuals that have been approved in a prior energy assistance case or individuals moving into a household that has previously received energy assistance in the current year at the same address;

(F) Individuals that use kerosene or cut their own wood for the purpose of heating their home;

(G) Individuals not living in the home for which they are applying for energy assistance benefits, but do continue to pay a home energy supplier for heating that home, will not be eligible to receive energy assistance benefits on the unoccupied residence;

(H) Individuals that reside outside Missouri. This does not include a household that has a mailing address of a surrounding state but actually resides in Missouri;

(I) Individuals in transitional living situations;

(J) Individuals that are not citizens of the United States or permanent resident aliens; and

(K) Individuals who have a credit balance with their fuel supplier in excess of five hundred dollars (\$500).]

([5] 6) LIHEAP qualified households must meet all of the following criteria to be eligible for benefits under the program:

(A) All household members must be a citizen of the United States or be a Legal Permanent Resident admitted to the United States for permanent residence status and a current resident of Missouri;

(B) Each household's resources may not exceed three thousand dollars (\$3,000).

(C) Each household must establish that they have an account in their name or meet the definition of a renter/landlord household, pursuant to this rule, and are incurring heating/cooling costs; and

(D) Each household must meet the specified income guidelines based on their household size, as established in section (14) of this rule.

1. Households with applicants or their spouses who are elderly or disabled shall be entitled to a one-hundred dollar (\$100) deduction for medical expenses when determining income eligibility.

(E) All ineligible and eligible LIHEAP applicants will receive written notification by mail to the address of record. Applicants may choose to receive notification by electronic mail or text message, if the division has established a policy that gives applicants and/or participants this option. The notification shall advise them of their right to request a fair hearing regarding the decision made on their application. LIHEAP applicants can request a hearing for denial of their application, a lack of timeliness, or as otherwise provided for in section 208.080, RSMo 2014.

[payments will be made in either one (1)-time line-of-credit payments to a participating home energy supplier or a one (1)-time direct cash payment to the eligible household based on their household size, income, heat source and geographic location as set forth in the Payment Levels Chart for Northern and Southern Missouri. If the household meets the definition of a renter

household, they will receive a one (1)-time direct cash payment equal to eight percent (8%) of their annual rent not to exceed the maximum payment level for their particular heat source, household size and income.

Payment Levels For Northern Missouri Primary Fuel

Types	A	B	C	D	E
Fuel Oil	\$ 292	\$ 256	\$ 225	\$ 193	\$ 162
Tank Propane	\$ 274	\$ 244	\$ 214	\$ 184	\$ 154
Natural Gas	\$ 257	\$ 226	\$ 206	\$ 178	\$ 158
Electric	\$ 252	\$ 224	\$ 199	\$ 167	\$ 139
Wood	\$ 184	\$ 164	\$ 143	\$ 123	\$ 103
Cylinder Propane	\$ 138	\$ 123	\$ 107	\$ 91	\$ 76
Coal	\$ 116	\$ 104	\$ 91	\$ 78	\$ 65

Payment Levels For Southern Missouri Primary Fuel

Types	F	G	H	I	J
Fuel Oil	\$ 265	\$ 211	\$ 184	\$ 162	\$ 135
Tank Propane	\$ 253	\$ 201	\$ 175	\$ 154	\$ 129
Natural Gas	\$ 237	\$ 198	\$ 178	\$ 158	\$ 139
Electric	\$ 232	\$ 199	\$ 179	\$ 150	\$ 122
Wood	\$ 169	\$ 136	\$ 119	\$ 102	\$ 92
Cylinder Propane	\$ 127	\$ 102	\$ 89	\$ 76	\$ 64

Payment Levels For Northern Missouri Primary Fuel

Types	A	B	C	D	E
Coal	\$ 93	\$ 74	\$ 65	\$ 54	\$ 46

]

([6]7) A household meeting any of the following conditions will not be eligible to receive LIHEAP benefits:

(A) A household that is located outside the State of Missouri. This does not include a household that has a mailing address of another state, but that is physically located in Missouri.

(B) A household which resides in a professional, practical, or domiciliary nursing or boarding home and does not pay a home energy supplier or landlord directly for heating/cooling costs.

(C) A household which resides in a hotel, motel, dormitory, or temporary shelter, and does not pay a home energy supplier or landlord directly for heating/cooling costs.

(D) A household which resides in government subsidized housing, unless they are paying a home energy supplier or are billed by the landlord/housing authority for any out-of-pocket heating/cooling costs.

(E) A household in a transitional living situation that has its heating/cooling paid for by the Department of Mental Health.

(F) A household that has a credit balance with its fuel supplier that is in excess of five-hundred dollars (\$500), with the exception of households who pre-pay for their fuel.

(G) A household that cuts its own wood, when wood is the household's primary source of heating.

(H) A household residing in a Recreational Vehicle (RV), travel trailer, tent, shed, or other dwelling residing at the same address as, and sharing the same meter or source of power with, a household that has already received EA in the current LIHEAP fiscal year. (One (1) Meter + One (1) Bill= One (1) Household).

[The Division of Family Services will recover outstanding energy assistance overpayments made in prior years' programs by deducting the overpayment from the current year's energy assistance benefit payment.]

([7]8) Individuals meeting any of the following conditions shall not be included in a LIHEAP household:

(A) Individuals that are not citizens of the United States or a Legal Permanent Resident.

(B) Individuals that are not living in the home at the time of application, unless the individual(s) was temporarily out of their home due to service termination.

(C) Individuals that are incarcerated.

(D) Individuals defined as roomers, boarders, or live-in-attendants.

(E) Deceased individuals, unless determined eligible prior to their date of death, and surviving household members exist.

(F) Individuals that have been approved in a Missouri EA case or individuals moving into a household that has previously received EA in the current LIHEAP fiscal year at the same address. Eligibility will not be affected for individuals who have received LIHEAP benefits from another state in the same program year. Individuals that have been approved for EA in another household but require a new application due to change in address or supplier, may be eligible for ECIP only benefits as long as all other LIHEAP eligibility requirements have been met.

[One (1) energy assistance card will be sent to each household applying for benefits under LIHEAP which will notify the individual of his/her eligibility status and the right to request a fair hearing.]

([8]9) Applicants shall use form EA-1 to apply for LIHEAP benefits. General application procedures for programs administered by the division are found in 13 CSR 40-2.010. For anything in this rule conflicting with the general application procedures in 13 CSR 40-2.010, this regulation controls for the application procedures for LIHEAP.

(A) The application form for LIHEAP benefits may be obtained by contacting the division or by accessing the department website (www.dss.mo.gov).

(B) The applicant shall provide and attest to the following information when making an application for LIHEAP benefits:

- 1. Applicant's contact information, including a home address, and a mailing address if different from the home address;**
- 2. Applicant's and all other household member's identifying information, including name, Social Security number, date of birth, relationship to applicant, and citizenship status;**
- 3. Utility and household information, including whether or not the applicant owns or plans on buying his/her home, whether or not the home has been weatherized by the local weatherization program, whether or not the home is all electric, the primary/main form of energy and secondary/other form of energy, if any, used to heat the home, and energy supplier information including supplier name, city, name on the account, and account number;**
- 4. Landlord information, if applicable, including whether the applicant has an account with an energy supplier in his/her landlord's name and is billed by the landlord, whether or not the applicant lives in subsidized housing and the heating and cooling costs are included in the rent, and the landlord's name, address, and phone number;**
- 5. For each household member that received income from a job in the calendar month preceding the month in which the application is submitted to the division, include the member's name, employer name and address, how often the individual is paid, gross pay, current employment status, and provide all income documentation for that month on everyone in the household that works. This documentation includes, but is not limited to, wages (regular pay), vacation, sick leave, bonuses and tips;**
- 6. If anyone in the household receives income from self-employment, the applicant must provide a copy of the most recent Federal Income Tax Form 1040, and any**

accompanying schedules and other relevant forms, for each household member who is self-employed;

7. If anyone in the household pays court ordered Child Support, provide the amount paid in the last month and the 8-digit Child Support Case Number;

8. Any and all income received by any household member from sources other than a job or business, including the amount received and how often; and

9. Any and all resources, as defined in this rule.

(C) By submitting information to the division, an applicant or household member is certifying that the information is true, accurate, and complete.

(D) Applicants must provide additional application documentation as requested by the division, pursuant to chapter 208, RSMo.

(E) The Division will begin accepting applications on October 1st, and processing applications on November 1st, for households that include members who are elderly or disabled, as defined in this rule. The division will begin accepting all other household applications on November 1st, and will begin processing those applications starting on December 1st. If an acceptance or processing date falls on a weekend or holiday, the division will begin accepting/processing applications on the following work day.

(F) The applicant and anyone acting on their behalf have a continuing obligation to notify the division if any information specified in the application changes within ten (10) days of the change. Failure to do so may result in an adverse effect on the account, including but not limited to termination of LIHEAP benefits.

(G) Any notices will be sent to the address of record, and service by first class mail to the last known address of record in the department's system shall be good service for all notices for all purposes.

[No funds for services included in this program shall be expended until a specific appropriation for this purpose has been made.]

(10) Amounts paid by the department above the amount that the household was eligible to receive shall be an overpayment and may be collected as a debt due the state.

(11) In addition to any remedies authorized by law, the division may recover outstanding EA overpayments made in a prior year's programs by deducting the overpayment from the current year's EA benefit payment.

(12) Any LIHEAP eligible household whose home energy supplier does not participate in the program, or declines to provide service to the household, qualifies for a direct LIHEAP EA payment, to be paid to the applicant in an amount as determined under section (14) of this rule.

(13) A LIHEAP eligible renter household whose home heating costs are included as a part of their regular monthly rental charge will receive a one (1) time Energy Assistance (EA) direct cash payment equal to no more than eight percent (8%) of their annual rental charge not to exceed the maximum EA benefit payment.

(14) EA payments are determined by household size, income range, and fuel source, using metrics established by the division. Monthly Income Federal Poverty ranges are A: 0-25% of the Federal Poverty Level, as set by the U.S. Department of Health and Human Services each year, B: 26-50%, C: 51-75%, D: 76-100%, E: 101-125% and F: 126-135%.

**Payment Levels for Missouri
Primary Fuel**

Monthly Income Federal Poverty Level

Fuel Type F	A	B	C	D	E
Natural Gas	\$296	\$278	\$259	\$240	\$221
\$203 Tank Propane	\$450	\$413	\$375	\$338	\$300
\$263 Electric	\$289	\$270	\$251	\$233	\$214
\$195 Fuel Oil	\$296	\$278	\$259	\$240	\$221
\$203 Wood		\$199	\$180	\$161	\$143
\$124	\$105	Kerosene	\$139	\$120	\$101
\$83	\$64	\$45	Cylinder Propane	\$161	\$143
\$124	\$105	\$86	\$68		

AUTHORITY: section 207.022[0], RSMo 2015[00]. Emergency rule filed Nov. 26, 1980, effective Dec. 6, 1980, expired March 11, 1981. Original rule filed Nov. 26, 1980, effective March 12, 1981. Emergency amendment filed Nov. 19, 1981, effective Dec. 1, 1981, expired March 10, 1982. Amended: Filed Nov. 19, 1981, effective March 11, 1982. Emergency amendment filed Oct. 29, 1982, effective Nov. 15, 1982, expired Feb. 10, 1983. Amended: Filed Oct. 29, 1982, effective Feb. 11, 1983. Emergency amendment filed Oct. 5, 1983, effective Nov. 1, 1983, expired Jan. 12, 1984. Amended: Filed Oct. 5, 1983, effective Jan. 13, 1984. Emergency amendment filed Sept. 7, 1984, effective Oct. 15, 1984, expired Jan. 15, 1985. Emergency amendment filed Oct. 4, 1985, effective Oct. 15, 1985, expired Feb. 1, 1986. Amended: Filed Oct. 4, 1985, effective Feb. 14, 1986. Emergency rescission and rule filed Sept. 16, 1986, effective Sept. 26, 1986, expired Jan. 14, 1987. Rescinded and readopted: Filed Sept. 16, 1986, effective Jan. 12, 1987. Emergency amendment filed Sept. 1, 1987, effective Sept. 11, 1987, expired Jan. 9, 1988. Amended: Filed Sept. 1, 1987, effective Nov. 23, 1987. Emergency amendment filed Sept. 28, 1988, effective Nov. 1, 1988, expired March 1, 1989. Amended: Filed Sept. 28, 1988, effective Dec. 29, 1988. Emergency amendment filed Sept. 27, 1989, effective Nov. 1, 1989, expired Feb. 28, 1990. Amended: Filed Sept. 27, 1989, effective Jan. 12, 1990. Emergency amendment filed Aug. 30, 1990, effective Nov. 1, 1990, expired March 1, 1991. Amended: Filed Aug. 30, 1990, effective Feb. 14, 1991. Emergency amendment filed Aug. 30, 1991, effective Nov. 1, 1991, expired Feb. 28, 1992. Amended: Filed Aug. 30, 1991, effective Jan. 13, 1992. Emergency amendment filed Oct. 8, 1992, effective Nov. 1, 1992, expired Feb. 28, 1993. Emergency amendment filed Dec. 2, 1992, effective Feb. 28, 1993, expired June 27, 1993. Amended: Filed Oct. 8, 1992, effective April 8, 1993. Emergency amendment filed Oct. 15, 1993, effective Nov. 1, 1993, expired Feb. 28, 1994. Emergency amendment filed Feb. 4, 1994, effective March 1, 1994, expired June 28, 1994. Amended: Filed Oct. 15, 1993, effective April 9, 1994. Emergency amendment filed Oct. 13, 1994, effective Nov. 1, 1994, expired Feb. 9, 1995.

Emergency amendment filed Jan. 17, 1995, effective Feb. 10, 1995, expired June 9, 1995. Amended: Filed Oct. 13, 1994, effective March 30, 1995. Emergency amendment filed Sept. 20, 1995, effective Oct. 1, 1995, expired March 28, 1996. Amended: Filed Sept. 20, 1995, effective Feb. 25, 1996. Emergency amendment filed Sept. 10, 1996, effective Oct. 1, 1996, expired March 29, 1997. Emergency amendment filed Sept. 23, 1997, effective Oct. 3, 1997, expired March 31, 1998. Amended: Filed Sept. 23, 1997, effective March 30, 1998. Emergency amendment filed Sept. 4, 1998, effective Oct. 1, 1998, expired March 29, 1999. Amended: Filed Sept. 4, 1998, effective March 30, 1999. Emergency amendment filed Sept. 2, 1999, effective Oct. 1, 1999, expired March 28, 2000. Amended: Filed Sept. 2, 1999, effective April 30, 2000. Emergency amendment filed Aug. 31, 2000, effective Oct. 1, 2000, expired March 28, 2001. Amended: Filed Aug. 31, 2000, effective Feb. 28, 2001. Emergency amendment filed Sept. 21, 2001, effective Oct. 1, 2001, expired March 29, 2002. Amended: Filed Sept. 21, 2001, effective April 30, 2002. Emergency amendment filed Sept. 19, 2002, effective Oct. 3, 2002, expired March 31, 2003. Amended: Filed Sept. 19, 2002, effective March 30, 2003. Emergency amendment filed Sept. 19, 2003, effective Oct. 1, 2003, expired March 28, 2004.

Original authority: 207.020, RSMo 1945, amended 1961, 1965, 1977, 1981, 1982, 1986, 1993, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Family Support Division, Julie Gibson, Director, PO Box 2320 Jefferson City, MO 65102-2320. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*