

Appendix II: Energy Assistance Program Appeals Procedure for Posting

Clients have 30 days from the date they receive their benefit notification to appeal decisions made regarding their Energy Assistance Application for the Home Energy Assistance Program (HEAP), Winter Crisis Program (WCP), Summer Crisis Program (SCP) and Percentage of Income Payment Plan Plus (PIPP). Clients must be informed of this right when they receive their application and again in their notification letter. Clients may appeal more than once within the same/current program year. Clients may also appeal if their application is not decided upon within 12 weeks. Clients must be informed of this right at the time an application is submitted.

Grounds for appeal are:

- Energy Assistance Application was denied. o If an application was denied, and it has been at least 30 days since they received their notification of denial and their eligibility situation has changed (i.e., household composition or household income) they can submit an appeal to redetermine the application.
- If the application was neither approved nor denied within 12 weeks after the application was submitted (online, by mail, or in person at a local Energy Assistance Provider (EAP)), unless such delay was the result of the client's lack of cooperation in providing necessary and reliable documentation with which to determine eligibility.
- Disagreements with the benefit/installment amount (HEAP, WCP, SCP, and PIPP).
- Household composition has changed since the application was submitted.
- If an applicant is found noncompliant and is placed under Compliance Review.
- Income has changed since the application was submitted.
- Utility provider has changed or is incorrect.

Local Level Energy Assistance Programs - Written Appeal

Clients have 30 days from the date they receive their benefit notification to appeal decisions made regarding their Energy Assistance Application. All appeals must be submitted in writing (letter or email), with supporting documentation attached, to the local EAP. The client appealing the decision must submit any applicable supporting documentation which could result in the initial decision being reversed or modified.

The appeal review must be completed within 30 days from the date of the client's appeal request. The client must be notified of the decision made by the EAP within 10 days of the decision.

Local Level Energy Assistance Programs - Hearing

Clients who were denied during the Written Appeal process may request a formal hearing within 30 days of the denial of the Written Appeal. The client must submit a written request (letter or email) for a formal hearing. The request is to be made to the executive director of the EAP. The EAP shall schedule a hearing within 30 days of the receipt of the notification of a request for a hearing. The hearing shall be held at a mutually convenient place and a hearing officer shall be appointed by the EAP. The hearing officer may be a staff member of the EAP who was not involved in the decision that is being appealed. The client must be notified of the EAP's decision regarding the appeal within 10 days of the date of the hearing.

State Level Energy Assistance Programs - Appeal

If the client wishes to pursue a further appeal, they must submit a State Level Appeal to the Ohio Department of Development (Development) within 30 days of the final hearing decision rendered at the EAP. Appeal requests must be made in writing to Development. The appeal request may be mailed to:

Ohio Department of Development Office of Community Assistance, Appeals
P.O. Box 2169
Columbus, Ohio 43216

or faxed to 614-387-2718 **Attention: Appeals**

or email to heapappeals@development.ohio.gov

Development will only review State Level Appeals which have been denied at both the Local Level Energy Assistance Programs Written Appeal and Hearing process and contain new information, or information not considered during the Local Level Written Appeal and Hearing process. The appeal request must contain all the following information:

- Client's name.
- Address.
- Telephone number.
- Client number (if available).
- Reason for the appeal.
- Supporting documentation.
- Client's signature.

A decision on the appeal will be made within 30 days of receipt of the appeal request. The client will be notified within 10 days of Development's decision.

Federal Level Energy Assistance Programs - Appeal

If the client wishes to pursue an appeal of a State Level Appeal determination, they can submit a Federal Level Appeal to the U.S. Department of Health and Human Services/Administration for Children and Families. Complaints made to the federal government must be in writing and the complaint must identify the provision of the act, assurance or certification that was allegedly violated, and must include all relevant information known to the person submitting it.

The inquiry must be mailed to:

U.S. Department of Health and Human Services/Administration for Children and Families
Office of Community Services/Division of Energy Assistance
Low Income Home Energy Assistance Program (LIHEAP)
Mary E. Switzer Building, 5th Floor
330 C Street, SW Washington, D.C. 20201

Or fax to 202-401-5661

All appeal decisions made by the U.S. Department of Health and Human Services/
Administration for Children and Families are final